

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

GP INDUSTRIES, INC.,)	
a Nebraska corporation,)	
)	
Plaintiff,)	8:06CV50
)	
vs.)	ORDER
)	
ERAN INDUSTRIES, INC.,)	
a Nebraska corporation, and)	
JAMES E. BACHMAN,)	
)	
Defendants.)	
)	
)	
ERAN INDUSTRIES, INC.,)	
a Nebraska corporation,)	
)	
Plaintiff,)	8:06CV51
)	
vs.)	ORDER
)	
GP INDUSTRIES, LLC., a Nebraska)	
Limited Liability Company, et al.,)	
)	
Defendants.)	

This matter is before the court on the motion of Eran Industries and James E. Bachman for reconsideration of the court's order of consolidation of the above captioned cases. The cases were consolidated on the motion of GP Industries and the parties' report of their planning conference. In the planning conference report, all parties reported in paragraph 12(a): "This case and case 8:06-CV-00050 are related and should be consolidated." Accordingly, the court granted the motion and consolidated the cases since there appeared to be agreement on the consolidation. The cases were consolidated in the usual manner with the first filed case, i.e., GP Industries v. Eran Industries, Inc. and James E. Bachman, 8:06CV50, listed first. No determination has been made as to which party will proceed first at trial as is being sought in the motion for reconsideration. Such a

determination is left to subsequent planning conferences, the final pretrial conference, and/or any appropriate motions in limine. Accordingly, the motion for reconsideration is premature and will be denied. The conduct of discovery will be governed by the parties' planning report and an initial progression order which shall be issued shortly.

IT IS ORDERED:

The defendants' Motion for reconsideration (Filing No. 21 in Case No. 8:06CV50) is denied.

DATED this 31st day of March, 2006.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge